

IN THE COURT OF APPEALS
FIRST APPELLATE DISTRICT OF OHIO
HAMILTON COUNTY, OHIO

STATE OF OHIO,	:	APPEAL NO. C-070455
	:	TRIAL NO. B-0700279B
Plaintiff-Appellee,	:	
	:	<i>JUDGMENT ENTRY.</i>
vs.	:	
RAY MOORE,	:	
Defendant-Appellant.	:	

We consider this appeal on the accelerated calendar, and this judgment entry is not an opinion of the court.¹

Defendant-appellant Ray Moore was indicted for two counts of trafficking in cocaine and one count of trafficking in marijuana. In a plea bargain, Moore pleaded guilty to trafficking in marijuana, and the two counts of trafficking in cocaine were dismissed. The trial court imposed an agreed sentence of ten days' incarceration with credit for ten days, three years' community control with 150 days' home incarceration, and community service.

Pursuant to *Anders v. California*,² Moore's counsel advises this court that, after a thorough review of the record, he has discerned no arguable assignments of error to present on appeal. Counsel has filed a motion to withdraw. He now asks this court to

¹ See S.Ct.R.Rep.Op. 3(A), App.R. 11.1(E), and Loc.R. 12.

² (1967), 386 U.S. 738, 87 S.Ct. 1396.

conduct an independent review of the record to determine whether the proceedings in the trial court were free from prejudicial error.³

After reviewing the entire record, we are satisfied that Moore's counsel has provided him with a diligent and thorough search of the record, and that counsel has correctly concluded that the proceedings below were free from prejudicial error.⁴ We therefore overrule counsel's motion to withdraw from his representation of Moore and affirm the judgment of the trial court.

Our determination that the proceedings below were free of prejudicial error compels our conclusion that there are no reasonable grounds for this appeal. But because Moore is indigent, we refrain from taxing costs and expenses against him.

A certified copy of this judgment entry shall constitute the mandate, which shall be sent to the trial court under App.R. 27. Costs shall be taxed under App.R. 24.

PAINTER, P.J., DINKELACKER and WINKLER, JJ.

RALPH WINKLER, retired, from the First Appellate District, sitting by assignment.

To the Clerk:

Enter upon the Journal of the Court on May 14, 2008
per order of the Court _____.
Presiding Judge

³ See *Freels v. Hills* (C.A.6, 1988), 843 F.2d 958.

⁴ See *Penson v. Ohio* (1988), 488 U.S. 75, 109 S.Ct. 346.